

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ERIC COWLEY, and GILLIAN  
COWLEY,

Plaintiffs,

v.

CABELA’S OUTDOOR  
ADVENTURES, INC., et al.,

Defendants.

8:11CV325

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On March 6, 2012, the parties submitted a Status Report. (Filing No. [25](#).) In the Status Report, the parties stated Defendants were awaiting a demand from Plaintiffs as part of their alternative dispute resolution (“ADR”) effort to resolve this matter. (*Id.*) The parties stated that they would update the court regarding their progress no later than April 4, 2012. (*Id.*) The parties failed to update the court by this deadline. (*See* Docket Sheet.)

On July 17, 2012, the court directed the parties to update the court regarding the status of their ADR efforts by July 23, 2012. (Filing No. [26](#).) On July 23, 2012, Defendant Cabela’s Outdoor Adventures, Inc. (“Cabela’s”), and Defendant Eric Pawlak (“Pawlak”) filed a Status Report. (Filing No. [28](#).) In the Status Report, Cabela’s and Pawlak stated that the parties were no longer pursuing ADR efforts. (*Id.*) In light of this, Cabela’s and Pawlak shall have until August 21, 2012, to file an answer or otherwise plead. In the event that Cabela’s and Pawlak do not file an answer or otherwise plead by that date, Plaintiffs will be given the opportunity to seek a default judgment.

IT IS THEREFORE ORDERED that:

1. Cabela's and Pawlak shall have until August 21, 2012, to file an answer or other responsive pleading. In the event that Cabela's and Pawlak do not file an answer or otherwise plead by that date, Plaintiffs will be given the opportunity to seek a default judgment.

2. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: August 21, 2012: check for response from Cabela's and Pawlak.

DATED this 14<sup>th</sup> day of August, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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